



Speech by

Peter Wellington

MEMBER FOR NICKLIN

Hansard Tuesday, 23 May 2006

CORRECTIVE SERVICES BILL

Mr WELLINGTON (Nicklin—Ind) (9.53 pm): I rise to briefly participate in the debate on the Corrective Services Bill 2006. I am aware that it is almost 10 o'clock, so I will restrict my comments to a few sections of the bill.

Firstly, I refer members to the provision in the bill that requires any person in the chief executive's custody who desires to change his or her name under the Births, Deaths and Marriages Registration Act to seek the prior approval of the chief executive. In determining whether to grant the approval to a person in the chief executive's custody, there needs to be consideration of many matters, including a proper scrutiny of the application.

This is very important. Many years ago there was a horrific sexual assault on a young girl on the Sunshine Coast. A few years ago it was revealed to the community that one of the people convicted of that very serious offence had made an application to change their name. I vividly recall the outrage in the community that there seemed little avenue of objection or redress by either the community or the victim's family. Therefore, I congratulate the minister on this initiative. It is very important. I feel very confident that the minister is certainly capturing the view of many in the community that there needs to be a balance between prisoners' rights and, importantly, the rights of the victim and the victim's family when considering the very vexatious issue of a prisoner's application to change his or her name.

I wish to comment on the issue that deals with submissions from victims. The bill provides that within seven days of receiving a prisoner's application for parole, the parole board must—and I stress the word 'must'—give notice to the chief executive of the application. The chief executive must give an eligible person such as the victim or the victim's nominated representative notice that a prisoner has applied for a parole order so that the eligible person may make a submission about the prisoner's parole application. There may be a possible breach of the fundamental legislative principle of natural justice if the prisoner is not afforded the opportunity to respond to the victim's submission. However, we need to have a very clear balance between the victim's rights and those of the victim's family, and the prisoner's rights. Again, I believe that the minister has captured an issue that is very real in the community's mind about the need for victims of serious offences and their families to have some input and real rights so that their issues of concern are taken on board.

The other issue I wish to briefly touch on is clause 25, which provides that a birth certificate for a child must not state or contain any information that would imply that either parent was a prisoner at the time of the birth. The explanatory notes outline that if an address is required by the Births, Deaths and Marriages Registration Act 2003 the address must be a city or town and not a corrective services facility. I believe that is common sense. It is a compassionate and sensible requirement.

In relation to clause 227, the explanatory notes state—

Clause 227 enables the Minister to make guidelines for the Queensland Parole Board in relation to the policy to be followed by the board, and for the Queensland Parole Board, in consultation with the chief executive, to make policy and administrative guidelines to be followed by the regional boards.

Can the minister assure the House that those guidelines will be finalised prior to this bill becoming a valid law in Queensland?

Lastly, I turn to clause 352, which provides that a minister must review the efficiency and efficacy of this bill within seven years of its commencement. I believe it is very important that we have these reviews. When all of our bills become law in Queensland, it is a normal requirement that there will be a report back to the parliament at a future date.

I commend the minister on the bill. I believe that it is a good law. I look forward to this debate proceeding to the consideration in detail stage.